



STATE CORONER'S COURT OF NEW SOUTH WALES

Inquest:	Inquest into the disappearance and suspected death of Prabhdeep SRAWN
Hearing dates:	26-28 May 2015 Cooma Local Court
Date of findings:	June 26 2015
Place of findings:	State Coroners Court, Glebe
Findings of:	Magistrate Harriet Grahame, Coroner
Catchwords:	Coronial Law- Missing Person -Search and Rescue Operation
File number:	2014/104412
Representation:	Sgt Paul Bush – Coronial Law Advocate – Advocate assisting the Coroner Mr McDonald, solicitor- Representing the NSW National Parks and Wildlife Service
Findings:	<ul style="list-style-type: none">• On the balance of probabilities, I find that Prabhdeep Srawn is dead. He died on or in the days shortly after 14 May 2013 .• I am unable to determine the exact place of his death, however it occurred in the area of Kosciuszko National Park.• The exact cause of death remains unknown. However, on the balance, it appears that Prabhdeep's death occurred by misadventure of some kind.

Recommendations:

- That the National Parks and Wildlife Service consider implementing better systems so that its website can be updated and corrected in a timely manner.
- That the National Parks and Wildlife Service consider reviewing and expanding its educational material aimed at bushwalkers, both on its website and more broadly, especially in relation to the potential dangers found in the Australian Alpine conditions.
- That the National Parks and Wildlife Service and NSW Police immediately investigate and consider implementing a web based trip intention lodgement system.
- That the National Parks and Wildlife Service consider ways of expanding and publicising its PLB loan system in the Kosciuszko National Park.

This decision has been prepared without the benefit of a transcript.

REASONS FOR DECISION

1. This inquest concerns the disappearance and suspected death of Prabhdeep SRAWN

Introduction

2. Prabhdeep Srawn was born on 31 August 1987 in Toronto, Canada. He came to Australia in May 2011 to complete a law degree at Bond University on the Queensland Gold Coast. He was known as Prabh to his family and friends.
3. Prabh visited Canada in April 2013. He left Toronto in early May 2013 to return to Australia so that he could complete a couple of outstanding course requirements. At that time he told his family that he planned to travel to the Blue Mountains and then to the Mount Kosciuszko area before recommencing University.¹
4. Prabh came from a close and supportive family. He was fit, reliable and nature-loving. He enjoyed a physical challenge.² Shortly after arriving back in Australia, Prabh flew to Sydney and stayed for a couple of nights with his friend Carl Mannix.³ Carl dropped Prabh at Padstow Railway station on the morning of Sunday 12 May 2013 and he apparently caught a train to the Blue Mountains. According to Mr Mannix, Prabh was in good spirits and looking forward to the trip. They spoke about his plans to finish University and about his job prospects when he eventually returned to Canada.⁴

¹ Tab 84, Statement of Mandeep Srawn

² Tab 84, Statement of Mandeep Srawn

³ Tab 85, Statement of Carl Mannix and evidence at Inquest 26/5/15

⁴ Tab 85, Statement of Carl Mannix and evidence at Inquest 26/5/15

5. On Monday 13 May 2013 Prabh hired a van from Jucy Rentals in Botany, Sydney. The van was to be returned to the Jucy Office in Melbourne by 2pm Wednesday 15 May 2013⁵. The evidence suggests that Prabh headed out of Sydney, stopping for supplies at Sutton Forrest and Jindabyne along the way. He bought \$80 worth of fuel and some chips from the Shell Service Station at the Snowline Caravan Park and purchased a Duck Laksa about 5.30pm from the Maya Asian Cuisine Restaurant nearby.⁶
6. At around 5.47pm Prabh arrived at the National Parks and Wildlife Service entry station at Sawpit Creek. Sarah Ritzen⁷ gave evidence that she saw Prabh in his van and she remembered him buying a one day vehicle pass. She spoke to him briefly and he told her that he was planning to stay at the Kosciuszko Mountain Retreat that night. She warned him that there was weather approaching and that he may need chains to drive out of the area in the morning.
7. Prabhdeep Srawn has not been seen again. His family and friends have had no contact with him, none of the personal items he wore or is likely to have had with him as he commenced his walk have ever been recovered.

The role of the Coroner

8. The role of the Coroner in a case such as this is to make findings firstly as to whether the nominated missing person is actually dead, and if that can be established to make further findings as to the date and place of death and in relation to the manner and cause of death.⁸

When was Prabhdeep's disappearance first reported?

9. Given the circumstances, it is not surprising that Prabh's disappearance took some days to come to the attention of authorities. He had only just returned from Canada and both his family and the friends with whom he lived in Queensland were aware that he was going on a short holiday. They would not necessarily have

⁵ Tab 26, Jucy Rental Agreement,

⁶ Tabs 86,88,89 Statements Kirsten Farmer, Gemma Hawkins and Maria King

⁷ Tab 90, Statement of Sarah Ritzen and evidence at Inquest 26/5/15

⁸ Section 81 Coroner's Act 2009 (NSW)

expected to hear from him. It appears that he did not leave a detailed itinerary with either family or friends, who were only aware of his plans in a most general sense.

10. The hired van was to be returned to Melbourne by Wednesday 15 May 2013. When the vehicle was not returned on 15 or 16 May, someone from the Jucy Company, which is based in New Zealand, apparently tried to contact Prabh using the mobile telephone number left on file. There was no answer.⁹
11. It was not until Michael Hopkins, a caretaker at Charlotte Pass Ski Resort noticed the Jucy van in the car park near the staff quarters and thought something might be wrong that police were alerted.¹⁰
12. Mr Hopkins first saw the van on Tuesday 14 May 2015 but thought little of it, given that it was not unusual for people to park in the village and go bushwalking. Over the next few days there was heavy snowfall. Mr Hopkins later noticed that there were no footprints or signs of activity near the van. When he looked more closely he saw there was no condensation on the windows which might indicate that someone had been sleeping inside. By Saturday 18 May 2013, the weather was slightly better and Mr Hopkins went to have a closer look. He noticed that there was a National Parks permit displayed on the van which was valid for one day only. Mr Hopkins became concerned and called the Jucy Company. On being told that the van was already overdue and that the company had been unable to contact the driver, Mr Hopkins immediately contacted Police using triple "0".¹¹
13. Senior Constable Ziesig received the job about 1.30pm on Saturday afternoon and immediately commenced investigation. Unfortunately his attempts to contact Jucy were thwarted as the Company's head office is in New Zealand and the time difference meant that he was only able to leave a message. Jucy's Australian booking office was apparently unable to give any details to police in relation to the vehicle that day.

⁹ Tab101, Statement of S/C Peter Ziesig [6]

¹⁰ Tab 91, Statement of Michael Hopkins and evidence at Inquest 26/5/15.

¹¹ Michael Hopkins, evidence at Inquest 26/5/15

14. The investigation continued first thing on Sunday morning. By then it was clear that there was nobody inside the van and Prabh had been identified as the hirer. Police began to piece together information about Prabh's plans and movements prior to arriving in the Snowy Mountains area. Plans for a search commenced and Prabh's next of kin in Canada were notified. The National Parks and Wildlife Service (NPWS) was alerted and an initial search between Charlotte Pass Village and Mount Kosciuszko was conducted that afternoon, without success.¹² Two NPWS rangers had been in the Main Range area and they were immediately tasked to attend Seamans Hut and search generally around the Mount Kosciusko area.¹³

What was the initial police response ?

15. A full scale co-ordinated search commenced on Monday 20 May 2013, almost a week after Prabh had been seen at the Sawpit Creek entrance. There is little doubt that the poor weather hampered search efforts to some extent that first day. A Police Helicopter was made available at Jindabyne but due to poor weather conditions it remained on the ground.¹⁴ Police and NPWS personnel also had to abandon land searching early that day due to the inclement weather and serious lack of visibility.
16. Nevertheless, a Command Post was set up at Jindabyne Police station and planning for the search continued. The Command Post was later moved to the Kosciuszko National Parks and Wildlife Office in Jindabyne.
17. By Tuesday 21 May 2013 the search was in full swing.
18. The search involved police officers from NSW, Victoria and the Australian Federal Police, many of whom were especially trained in Alpine conditions. Over 34 National Parks and Wildlife Service staff from the Southern Ranges region were involved in the search operations or in support, management or technical roles.¹⁵ State Emergency Services and Wilderness Rescue (VRA) were also involved.¹⁶ The

¹² Tab 6, Statement of Detective Senior Constable Stephen Hopkin [22]

¹³ Tab 103, Statement of Inspector Peter Rooney [6]

¹⁴ Tab 103, Statement of Inspector Peter Rooney [23]

¹⁵ Tab 110, Statement of Robert Gibbs [88]

¹⁶ Tab109, Statement of Detective Inspector Shane Box [15]

air search involved police helicopters (NSW Polair and an AFP contracted helicopter), Southcare, Lifesaver 3 and a private contractor from Jindabyne. Land searching involved searchers on foot, and on skis and skidoos.

19. The National Park and Wildlife Service supported the search in various ways, including with the provision of geographic information analysis and mapping support.¹⁷ Technical Officers from NPWS collected extensive data and produced maps to assist with the search planning and tasking. They also compiled records of all the areas already searched. All air search flights were logged, as were the land searches in snow mobiles, and on foot and skis. The detailed maps produced have been carefully examined during the Inquest process.

What was the potential search area?

20. Given that nobody knew exactly where Prabh had been headed, the potential search area was initially very large. Robert Gibbs from the National Parks and Wildlife Service estimated it to be in excess of 100 square Kilometres¹⁸. The area included extremely rough, diverse and challenging terrain encompassing both alpine and sub alpine environments. In parts the area consisted of exposed alpine ridges, in others forested areas with extremely dense undergrowth. There are numerous natural obstacles such as alpine streams and lakes, extensive boulder fields, deep cracks and crevices, outcrops and small cliffs. The danger of these natural hazards and obstacles was further exacerbated by the onset of snow and ice in the area.
21. As part of the inquest process, a helicopter view of the area was undertaken. The dense undergrowth appeared quite impenetrable in places. Cracks and dangerous crevices were common. It was easy to understand the dangerous and varied conditions faced by searchers across that wide area when it was viewed from the air.
22. Mr Robert Gibbs, an extremely experienced employee of the NSW National Parks and Wildlife Service (NPWS) who acted as NPWS Liaison Officer and NPWS Ski

¹⁷ Tab93, Statement of Lynda Weston [4]

¹⁸ Tab 110, Statement of Robert Gibbs [18-25]

Search Team leader during the search for Prabh told the Inquest that it was easy for those without experience in Kosciuszko National Park to underestimate the difficulty of the terrain and conditions around the Main Range walking track area.¹⁹ From the eastern side the mountains do not look very steep and it is difficult for those new to the area to understand how varied and difficult the terrain can be.

23. Early in the search police had checked whether Prabh had lodged a trip intention form at the National Parks Visitors Centre or rented a personal locator beacon (PLB), but he had not.²⁰ The fact that there was limited reliable information as to where Prabh had been headed was identified by Senior Constable Downes²¹, one of the Search Co-ordinators, as the biggest single difficulty of the search. He described the need to “get inside Prabh’s mind” utilizing all the evidence they found during the investigation as well as trying to predict his behaviour using appropriate search and rescue research which outlines the likely probabilities according to the known behaviours of different categories of missing persons.²²

What were the weather conditions?

24. There is no doubt that the weather experienced in the potential search area over the period of time since it is thought Prabh left his van at Charlotte Pass and when the search was suspended in June varied greatly and was at times extreme.
25. Robert Gibbs of NPWS gave evidence that outsiders may not always understand the extreme changeability of the weather in the Park. What begins as benign weather can turn to severe conditions very quickly.²³
26. At the Inquest, he gave the following evidence in relation to the five day period after Prabh entered the Park,

¹⁹ Evidence at Inquest of Robert Gibbs

²⁰ Tab103, Statement of Inspector Rooney [6]

²¹ Evidence at Inquest, see also his statement at Tab 106

²² See the excerpts from the National Land Search Operations Manual extracted at Tab 82

²³ Robert Gibbs, Evidence at Inquest

“Records from the Thredbo and Perisher Valley weather stations, anecdotal reports and on ground conditions showed that significant rain in excess of 50 cms and snow in excess 50cms in some areas drifting to 80cms depth had occurred. Winds in excess of 90-100km/h and sub zero temperatures with wind chills of below -15C had been experienced over that 5 day period as a series of cold fronts with associated north-west, west and south west winds had crossed the mountains and potential search area.”²⁴

27. This was consistent with the evidence of Michael Hopkins, the caretaker at Charlotte Pass and himself a local of some 30 seasons and an experienced local snow boarder. He spoke of the intense winds and limited visibility that would be experienced in such a snow event.²⁵
28. Michael Batty²⁶ also gave evidence at the Inquest. He was an experienced bushwalker who set out on the morning of 14 May 2013 from Charlotte Pass with two friends for an overnight trip. They had checked the weather and were not expecting anything significant²⁷. By morning tea there was a substantial amount of snow falling and the temperature had dropped so dramatically that extra layers of snow clothing were needed. Mr Batty estimated the winds that day were at times 20 knots and gusting up to 30. By midday it was difficult to walk in a straight line. Visibility was greatly reduced and at times it was no longer possible to see the walking track. Mr Batty and his friends were walking with the assistance of a GPS, paper map and compass and even so, given the extreme weather and lack of visibility they could not see Lake Albina or Mount Townsend. At times they had trouble seeing the track and they were briefly confused and disoriented near Carruthers about which way to go.
29. He stated “By the time we got to Rawson’s Pass we could only see one snow pole at a time along Kosciuszko Road, due to visibility. The wind was at an average speed of 30kph by then, but still gusting higher”.²⁸ Mr Batty and his group knew

²⁴ Tab 110, Statement of Robert Gibbs [25]

²⁵ Michael Hopkins, Evidence at Inquest 26/5/15

²⁶ Tab 92, Statement of Tom Batty

²⁷ Tom Batty, Evidence at Inquest 27/5/15

²⁸ Tab 92,[8] Statement of Tom Batty

they would not be able to pitch the tent they had expected to sleep in and so they pushed on to Seamen's hut for the night, arriving about 5pm. In his view the weather "kept on the same, all night"

30. Mr Batty gave strong evidence of the difficulties he and his friends faced due to the weather they experienced in the area on 14 May 2013. His account of the extreme weather was well illustrated by the Go Pro footage he took on the journey.²⁹ The footage shows a dramatic change in the weather over a short period of time. At times there is extremely limited visibility, wind gusting and considerable snow just as he described.
31. Police also spoke with Winston Kousal³⁰ and others who they identified as having been in the area around the time Prabh disappeared. Mr Kousal had set off from Charlotte Pass around 8.30am on 14 May 2013 and walked with his brother in law along the Main Range Trail. They had considerably more equipment than Prabh including a GPS, a stove, wet weather gear and walking poles.
32. Mr Kousal gave evidence at the Inquest that he saw a single set of footprints on the Main Range Trail. He estimated that the foot size was similar to his own. He also thought he saw a set of prints belonging to a dog at that time. Unfortunately, searchers were unable to gain anything further from this information.
33. Mr Kousal also confirmed the very poor visibility on the Trail at the time.

How was the search conducted?

34. Senior Constable Downes³¹ and others gave detailed evidence of the command structure in place once the full search commenced. I was impressed with each of the officers who gave evidence and accepted that the search was conducted in a systematic way which remained responsive to new leads as they arose.

²⁹ Exhibit 2, (Still photographs taken from video footage Tab 44)

³⁰ Tab 92 Statement of Winston Kousal

³¹ Evidence at Inquest, see also his statement at Tab 106

35. It is also clear, reviewing the training and background of the police involved, the search was conducted by trained professionals who were guided by appropriate search and rescue protocols.
36. I have had the opportunity to review the detailed logs of all the actions taken³². From this and from Senior Constable Downes's evidence I was able to understand in some detail how the search progressed on land and from the air on a day-to-day basis. I do not intend to restate the detail of the evidence here. Information was processed at a central point and there appears to have been significant input from all agencies involved. I have reviewed the maps placed before the inquest³³ and have been able to follow the GPS tracking lines to view the search taskings. These are important documents which give great insight into the huge area covered by the various search parties³⁴. I am satisfied the search was being constantly reviewed given the command structure adopted, the regular change-over of personnel and the hand-over systems in place.
37. It is clear that even after the initial search was suspended at the end of May, further operations took place. There was significant searching on 5 June 2013 where areas that had previously been under snow were searched. Other smaller scale searches continued over the following weeks and months³⁵ Superintendent Smith gave further evidence of ongoing search efforts³⁶ including the use of cadaver dogs in February 2014 and more recently the use of police divers at Blue Lake.
38. I am also aware that there was considerable searching organised by the Srawn family after the initial official search was suspended. Robert Gibbs from NPWS was tasked with liaising with the family and he gave evidence at the Inquest about some of those efforts. I have also taken into account the evidence of experts engaged by the family, Mr Hugh Dougher³⁷ and Mr Colwell.³⁸ Mr Batty who

³² Tab 13, Communications/Operation Logs of initial May 2013 Search,

³³ Tab 15, Tab 16 Tasking Maps of May 2013 search. See in particular Map 3 (land search) and Map 2 (air search)

³⁴ See also Senior Constable's explanations of these tasking maps – Evidence at Inquest

³⁵ Tab 102, Statement of Inspector Rooney [73] Evidence at Inquest from ?????

³⁶ Superintendent Smith, Evidence at Inquest 28/5/15

³⁷ Tab 113, Statement of Phil Dougher

participated as a volunteer searcher³⁹ during the private search also told the Inquest of his experiences.

39. Taking all the evidence into account, I am of the view that the search was comprehensive and well-targeted, given the constraints the searchers were dealing with. Unfortunately, given the size of the search area, the weather and the rugged terrain the search was ultimately unsuccessful.

What information was gathered to narrow the search area or focus the search?

40. While air and foot searches were being carried out in the field, information was also being gathered elsewhere. This information helped to guide and focus the search priorities.

- Information from the Prabh's laptop.

41. Entry to the vehicle was not given priority by Police on 19 May 2015.⁴⁰ A physical search was commenced and other investigations took place.

42. On 20 May 2015 Senior Constable Ziesig, Sergeant Forster, Senior Constable Hancock and Senior Constable Jacobs returned to the Charlotte Pass car park and gained access to the Jucy vehicle⁴¹

43. On 21 May 2013 information from Prabh's laptop indicated that he had researched the Main Range walk, looking at both Mt Kosciuszko and the Mount Townsend walks.

44. Senior Constable Hopkins gave evidence at the Inquest that no record of the exact searches made was retained by police before the computer was returned to Prabh's family so that they could make their own interrogations. However it was Senior Constable Hopkin's memory that internet searches were conducted on the

³⁸ Tab 74, Report of Martin Colwell, see also other material from the private searching attached to Detective Senior Constable Stephen Hopkin's statement

³⁹ Tom Batty, Evidence at Inquest, 27/5/15

⁴⁰ Evidence of Detective Inspector Box at Inquest 28/5/15

⁴¹ Tab 100, Statement of Senior Constable Ziesig, [15]

Main Range walking track and the Mount Kosciuszko Summit walk on the NPWS website and that there was a Wikipedia search of Mount Townsend⁴².

45. It is clear that this information focussed considerable search energy around the Main Range Trail.
 - Information that a voice had been heard near the Opera House Hut
46. An important piece of information came to the attention of the search team on Wednesday 22 May 2013 when they received a report that employees of the National Parks and Wildlife Service had heard a voice while doing asset protection work in the Opera House Hut area on Lady Northcote Creek.
47. Mark Mitchell and his fellow workers were having a short break when Mark heard something. He told police it “sounded like a human voice call out. The call was faint and I could not make out any words but I am certain it was a human voice. The day was still and I heard it above the sound of the creek”⁴³ When questioned about the sound at the Inquest Mr Mitchell remained convinced it was a distinctly human sound. Mr Mitchell explained that he was an experienced hunter and was familiar with the sounds made by animals in the bush. He asked his work mates if they could hear the sound and they could. Mr Mitchell described the voice as faint and a long way off but he could still hear it distinctly above the sound of the creek. He formed the view that the sound was coming from the south east.
48. Mr Bulger who also gave evidence at the Inquest, confirmed that he too heard the noise. He described it as a funny sound that he had not heard before. He was certain it was not a dog howling.⁴⁴ Mr Bulger described the local searching the workmen did while waiting for the helicopter, “The four of us started walking along a one lane service track through the bush. The track goes about a kilometre along through the bush, the track runs around the hill that the noise came from, or from where we thought the noise came from. We walked up and back down the track yelling out and whistling. We walked the track about 10 or 11 times. We

⁴² Senior Constable Hopkins Evidence at Inquest 28/5/15

⁴³ Tab 97 Statement of Mark Mitchell, see also Tab 98, Statement of Jack Bulger.

⁴⁴ Tab 98, Statement of Jack Bulger and evidence at Inquest.

heard the noise once or twice again but it sounded in the distance. When we heard the noise it was not consistent constant (sic). While we were walking we did not see any footprints or any bags lying around. We walked up and down the trail for about four hours before the Westpac helicopter started to search the area"⁴⁵ The workmen never heard anything they identified as a direct response to their calling.

49. Mr Mitchell was aware that there was a search going on for a missing bushwalker. He called Tim Grenville who he knew to be involved in the search and arrangements were subsequently made for a helicopter to be diverted to the area. While waiting for the helicopter, Mr Mitchell continued to hear calling. It was Mr Mitchell's evidence that "the helicopter spotted me and I indicated with my hands the direction we thought the voice was coming from. I got back on the radio to Tim who spoke to police at Perisher Valley and they told the helicopter to fly low and sweep the area between us and Intake 18"⁴⁶
50. Mr Mitchell told the Inquest that he watched the helicopter make a number of sweeps directly over the area where he thought the voice was coming from. He refused an offer to go up in the helicopter himself as he felt they had already covered the area he had identified. The helicopter had infra-red equipment⁴⁷ but it did not appear to assist.
51. It is clear that this report was taken seriously by the Search Team and informed decisions made the following day when further aerial and ground searching occurred in the area.⁴⁸ It was also crucial in prompting Detective Inspector Box to request Dr Luckin be approached for a new survivability timeline, based on the fact that a human voice may have been heard from below the snow line.⁴⁹
52. It is noted that the workmen, who gave evidence at the Inquest remained convinced that they heard a human voice. Its origin remains unknown.
 - Information from Telecommunication experts

⁴⁵ Tab 98, Statement of Jack Bulger, [6]

⁴⁶ Tab 97, Statement of Mark Mitchell, [17]

⁴⁷ Tab 103, Statement of Inspector Rooney, [41]

⁴⁸ Tab 103, Statement of Inspector Rooney, [43]

⁴⁹ Detective Inspector Box, evidence at Inquest 28/5/15

53. Police were aware that it was extremely important to trace Prabh's mobile phone. Inspector Rooney was given Prabh's mobile phone number on the Sunday morning, 19 May 2013, after inquiries had been made with the Jucy Company as to the identity of the hirer of the van that had been located at Charlotte Pass.
54. Inspector Rooney contacted the Duty Operations Inspector (DOI) at 10.37am that morning and requested an immediate triangulation be commenced in an attempt to find a location for that telephone.⁵⁰ Unfortunately Police were informed that the triangulation was not successful as the phone had not been on the Vodafone grid for over three days. Later, according to Inspector Rooney information was received from Vodafone that the phone was last on their grid at 3.11pm on 13 May 2013.
55. At police request Vodafone sent two technicians to the area on 25 May 2013. They brought two repeater stations to make further attempts to locate Prabh's telephone. They were tasked to set them up at the Charlotte Pass turning circle and on the peak of Mt Kosciuszko.⁵¹
56. Sergeant Rooney states that on May 30 2013 "information was received from Vodafone that after plotting pings from missing persons phone, determining the altitude of the relevant towers and with knowledge of the area the missing person was in, they believed the missing person may have ended up to the North West of Mt Townsend. Information was later received from Vodafone that based on signals and logs the missing person was walking quickly, and they believed the missing person had been at last point, deemed to be North West of Mt Townsend before the signal was lost. This timeframe was between 13:00 and 15:00 hrs on 14th May"⁵²
57. Police and telecommunications experts⁵³ worked carefully with the telephone data and topographical information to try to recreate a path that may have been taken by Prabh. One expert was of the view that the available information was consistent

⁵⁰ Tab 102, Statement of Inspector Rooney [4]

⁵¹ Tab 102, Statement of Inspector Rooney, [47]

⁵² Tab 102, Statement of Inspector Rooney, [70]

⁵³ See for example the material supplied by Guy Clive of Kordia Communication annexed to Detective Senior Hopkin's statement, Tab 6

with Prabh walking along the Main Range Trail (via Blue Lake) and then heading in a westerly direction towards the Mount Townsend area. The fact that the later “pings” shifted from the Wodonga tower to the Holbrook tower may indicate Prabh moved from a higher location to a slightly lower one. The Inquest carefully examined the maps produced and possible explanations given, however it is important to understand that these are theories only and the numerous variables make it difficult to rely on these possible movements with anything approaching certainty. I am confident the information was taken into account by the search team in an appropriate way.

- Other leads and search directions

58. Many other leads and directions were canvassed throughout the search and are recorded in the logs provided to the inquest. A rock pile pointing to a rock shelter was seen near the Blue Lake and Hedley Tarn areas but its relevance was later discounted⁵⁴. A water bottle with a Queensland label was found but further investigations revealed that it was not linked to Prabh.⁵⁵ A bad odour was reported and the area searched with no result.
59. The search team considered various avenues which were not pursued at the time, including using the Police Dog Unit in the snow and calling on army assistance. I am satisfied that the decisions made in this regard were appropriate.
60. It is also important to note that a real and constant concern for the search team command was to make sure that the safety and welfare of those searching could be guaranteed, particularly when the weather was very bad in the early days of the search.

Is Prabh dead?

61. Prabh was last seen by on 13 May 2013. The last call on his telephone appears to have been at 3.11 pm on 13 May 2013, when a short call was made to Kosciuszko

⁵⁴ Tab 102, Statement of Inspector Rooney, [50]

⁵⁵ Senior Constable Hopkins, Evidence at Inquest, 28/5/15

Mountain Retreat. While his telephone appears active throughout some of 14 May 2013, the last “ping” detected was at around 3.06pm.

62. No physical evidence has been found in the area it is believed Prabh was bushwalking in despite an extensive land and air search.
63. Extensive inquiries made by police⁵⁶ indicate that there has been no subsequent administrative activity which might indicate Prabh is still alive. There is for example no recorded movement out of the country, no relevant bank activity, no traffic or police records or anything of that nature. There have been no credible sightings.
64. More importantly, Prabh’s family and friends have had no contact. Given the close relationships he had, it is inconceivable that he would not have contacted his loved ones, if he were able to.
65. It should be stated, there is certainly no evidence to suggest that Prabh may have committed suicide. He had no history of depression or mental health issues. He had no known medical problems.⁵⁷ He was actively making plans for his future, paying his University fees and planning a trip to Adelaide.⁵⁸ His flatmates were expecting to hear from him shortly to collect him from the airport so that that he could commence the next University term. At the Inquest, his friend Carl Mannix, described Prabh as friendly and positive. He seemed in good spirits and was happy and looking towards the future. There is just no evidence to suggest a self-inflicted death. In my view, suicide can be safely ruled out.
66. There is also no evidence that Prabh’s disappearance was suspicious or that he may have met with random foul play.
67. Equally, there is nothing to even hint at the possibility of a planned disappearance, rather all the available evidence points to a tragic encounter with bad weather and rugged terrain.

⁵⁶ Tab 114, Statement of Senior Constable Kate Craven,

⁵⁷ Tab 84, Statement of Mandeep Srawn, [21]

⁵⁸ Tab 85, Statement of Carl Mannix, [8]

68. As part of the search process, police contacted Dr Paul Luckin⁵⁹. Dr Luckin is a recognised specialist in the area of survivability and has provided expert evidence on issues of survivability on numerous occasions to the Australian Maritime Safety Authority and to Police Search and Rescue Teams throughout Australia. His CV is extensive.
69. Dr Luckin was initially contacted by Police on 22 May 2013. On the information then available, Dr Luckin did not consider it possible that Prabh could still be lost and yet alive. Dr Luckin took into account that there had been a number of sunny days during the 8-9 days that had elapsed during which it may have been possible for Prabh, if uninjured, to emerge, possibly use his telephone or be seen by other walkers. He was particularly concerned by the length of Prabh's absence, the lack of available shelter, the absence of any contact, the lack of sightings, the low temperatures, high winds and blizzard conditions.
70. Dr Luckin considered the possibility that Prabh had either been seriously injured in the rugged terrain or suffered some catastrophic medical incident such as a cardiac arrest, stroke or epileptic seizure. Dr Luckin was of the view that if really serious injury or medical catastrophe hampered Prabh from continuing, he would be even less able to take effective measures to ensure his own survival. For all of these reasons, Dr Luckin was of the view that Prabh could not possibly be alive by 22 May 2013 in the conditions described.
71. Senior Constable Downes gave evidence at the Inquest that the first oral advice from Dr Luckin was that if Prabh was lost above the snowline, he would not survive past seven days.⁶⁰
72. Nevertheless, the search continued after Dr Luckin's initial advice and on the basis that some workers heard a voice from below the tree line in the area of the Opera House Hut on 22 May 2013⁶¹ a further opinion was sought on 23 May 2013. At that time Dr Luckin also had further information regarding the weather conditions.

⁵⁹ Tab 111, Statement of Dr Paul Luckin,

⁶⁰ Evidence of Senior Constable Downes at Inquest 26/5/15

⁶¹ See for example Statement of Mark Mitchell, Tab 97 and Jack Bulger, Tab 98 and their evidence at Inquest 27/5/15

Taking into account Prabh's body type and level of fitness, the possibility of finding or making shelter, and access to drinking water Dr Luckin revised his view to a best-case possibility of 14 days. Beyond that, Dr Luckin thought survival was "highly improbable". Dr Luckin was especially concerned about the possibility of Prabh having developed hypothermia and the consequent progressive loss of mental function and ability to utilise survival training that would have occurred.

73. While his revised opinion put possible survivability at 14 days, he was of the view that it was likely Prabh actually died within a short period after starting his walk on 13 or 14 May 2013. Dr Luckin stated "I have no doubt that Mr Srawn was already deceased before it was known that he was missing."⁶²
74. Detective Inspector Shane Box, the Search Controller received Dr Luckin's advice on 27 May 2013 and was later responsible for making the decision to scale down and finally suspend the search. It was undoubtedly a difficult decision. He took into account the expert advice and utilised the guidelines for the conclusion of a search and rescue operation as outlined in Chapter Seven of the National Land Search Operations Manual⁶³. I accept that he also fully briefed the Srawn family on his decision and the information on which it was based at this time.⁶⁴ Detective Inspector Box gave impressive evidence at the Inquest that it was also his personal view, knowing the area and weather conditions that there was no chance that Prabh had survived, notwithstanding the huge effort of all agencies involved in the search. This view appears to be shared by all those who gave evidence at the Inquest.
75. Mr Batty for example who was in the area at the time we assume Prabh was outside, volunteered that without proper equipment and clothing, the prospects of survival appeared to him to be hopeless.
76. On the other hand it is important to note, Prabh's family were of the view that the search should not have been suspended. They were disappointed and angry that

⁶² Tab 111, Statement of Dr Paul Luckin

⁶³ Statement of Detective Inspector Shane Box, Tab 109 [22] and his evidence at Inquest 28/5/15. See also relevant excerpts from the National Land Search Operations Manual extracted at Tab 82

⁶⁴ Inspector Box, Evidence at Inquest, 28/5/15

the search did not continue at full strength past the end of May. Prabh's family continued looking for some considerable time after the official police search was suspended, using both volunteers and professional searchers. One expert Mr Hugh Dougher⁶⁵, contracted by the family was an experienced American search and rescue specialist. He arrived in Australia on 29 June 2013 and reviewed what had taken place. It is in my view most telling that while he was critical of some of the private searching that had taken place, he was of the view that the official search had been "major and intense". He believed it had covered the same areas he would have covered had he been directing the search from the start and he saw no purpose in continuing the search in June 2013, until the weather had improved and the thaw of snow begun.⁶⁶

77. Superintendent Smith gave evidence at the Inquest⁶⁷ that he had maintained contact with the Srawn family from his arrival in the local area up until today. They had been aware of the Inquest date since at least October 2014, but had made a decision not to attend.⁶⁸ It appears that unfortunately they had little trust in the process.
78. However, I understand from a short submission made to the Inquest from the Srawn family that at least some members of the family still believe Prabh may be alive. They do not appear to accept that Prabh has perished even now, two years after his disappearance, stating "Nobody has evidence to proof (sic) that our beloved Prabh is not alive but we are aware that there is a massive area not explored so far. Our belief and conviction are that Prabh is right there. Miracles do happen"⁶⁹ Unfortunately, the family did not attend the Inquest and so their participation was limited. However, I have considered their written submission carefully and while I find their obvious love for Prabh and their absolute commitment to finding him most admirable, I am unable, on the evidence presented to share their view that Prabh could now be found alive.

⁶⁵ Tab 113, Statement of Hugh Dougher

⁶⁶ Tab 113, Statement of Hugh Dougher [11] onwards

⁶⁷ Evidence of Superintendent Smith at Inquest 28/5/15

⁶⁸ See emails between Superintendent Smith and the Srawn family, Exhibit 4

⁶⁹ Submission to Inquest from Srawn Family dated 22/5/15, exhibit 7

79. Given the seriousness and finality of finding that a person is dead, proof of this issue “must be clear, cogent and exact” before a finding can be made⁷⁰. The evidence in Prabh’s case reaches this threshold. While heartbreaking for his family, I am satisfied to the requisite standard that Prabh has perished somewhere in the Kosciuszko National Park. While his body has never been located, I am of the view, on the balance of probabilities that it is comfortably established that Prabhdeep Srawn is indeed dead.
80. It appears clear to this Court that if Prabh could have returned, he would have. If injury or illness hampered him to such a degree that he has not been able to make contact over the last two years, those same injuries will have prevented him surviving in the rugged terrain and bad weather, with limited or no sustenance.

When did Prabhdeep die?

81. There is really no way of knowing with any certainty when Prabh died.
82. It was Dr Luckin’s opinion that it was likely Prabh died even before the search commenced.⁷¹ This may be the case, but given all the evidence I am unable to accept this view with any real certainty. However, on the balance of probabilities, I accept his evidence that by end of May 2013, Prabh had surely perished.

What was the cause and manner of Prabh’s death? Where did he die?

83. Without his body or any direct evidence of his death it is impossible to determine exactly what caused Prabh’s death or to determine how he died. However, given that we are able to safely exclude suicide and foul play and we know that Prabh was in apparent good health, I am satisfied, on the balance, that his death may be classed as misadventure or accident. I note that Dr Luckin suggests that the most probable cause of death was hypothermia caused by exposure to very low temperatures, wind and snow.⁷²

⁷⁰ See *Briginshaw v Briginshaw* (1938) 60 CLR 336, Inquest into the Suspected Death of Tegan Lee Lane (State Coroner Abernathy, 15 February 2006)

⁷¹ Tab 111, Statement of Dr Paul Luckin

⁷² Tab 111, Statement of Dr Paul Luckin

84. I am unable to determine the exact place of Prabh's death, however it occurred in the area of Kosciuszko National Park.

Was the search carried out in an appropriate way and in accordance with accepted Search and Rescue Protocols?

85. Given that Prabh may have been injured or trapped by bad weather for some period of time, it is essential to evaluate the official search. It is clearly established that in harsh terrain and bad weather speed is of the essence in search and rescue operations of this sort.

86. The Search Co-ordinators were faced with a number of difficulties. In dangerous conditions there is a need to safeguard the safety of the search team and balance this with the need to find the missing person. Unfortunately, there were times during the search for Prabh when injuries to searchers occurred and times when teams needed to be removed from search areas and re-tasked due to the dangerous weather conditions experienced.⁷³ Senior Constable Downes spoke of other safety restrictions such as the fact that searching could not occur at night.

87. I have considered the matter carefully and reviewed the daily search logs in some detail. I have considered the way the search was conducted and reviewed its co-ordination. I have looked at the National Land Search Operations Manual provided to the Inquest. I have looked at the resources available to search co-ordinators and other staff and have examined their qualifications and experience. At the end of the day, I am of the firm view that the search was properly planned and executed skillfully. I was impressed by the dedication shown by all those involved.

88. It is interesting to note that neither Mr Dougher nor Mr Colwell, experts secured privately by the Srawn family appear critical of the official search. On the contrary, Senior Constable Downes gave evidence at the Inquest⁷⁴ that Mr Colwell told him he was impressed by the search that had already been conducted.

Was Prabhdeep adequately prepared for the conditions?

⁷³ See for example Tab 103 Statement of Inspector Rooney [53]

⁷⁴ Evidence of Senior Constable Downes at Inquest 26/5/15

89. Nobody saw Prabh set off, however it is likely that he was underprepared for the extreme wind and snow conditions he encountered.
90. Prabh had no prior experience in Australian Alpine conditions and he was travelling alone. His family believed that he may have had some expertise in survival from his military training. However Detective Senior Constable Hopkin made inquiries about the level of training Prabh may have received in the Canadian Army reserve ⁷⁵and found that it was only “basic fieldcraft training” rather than a formal Survival Training Course. He set off then, like many tourists do with little experience for the variable conditions he might face.
91. Prabh’s family believe he had purchased a “Frogg Toggs” jacket to wear on the trip but this has not been confirmed. He apparently bought a jacket of some kind from High Country Outfitters⁷⁶. However, it is likely that Prabh was not adequately clothed for the conditions he encountered. Given the evidence of eyewitnesses, what he was seen wearing in the CCTV footage prior to his walk and what clothing was still in his van, it appears likely Prabh was wearing jeans, a t-shirt and fleece jacket. He may also have had a light ski type jacket for warmth. There is no evidence that he was carrying spare cold weather clothing or waterproof pants.⁷⁷ There is no evidence that he had a tent or snow sleeping bag. Given what he purchased at the Supermarket before leaving, it appears likely that he had minimal food.
92. Robert Gibbs, NPWS liaison officer was of the view that for the time of year, setting off with just jeans and a pullover of some kind, with limited food and water would place someone in the “ill-prepared” category. Certainly when one compares Prabh’s likely attire and equipment with what Mr Batty found necessary on that same day, he appears to have been ill-equipped for the conditions he ended up facing.
93. There is no evidence that Prabh was carrying navigation equipment or any kind of emergency beacon. The inquest was informed that there are now a number of

⁷⁵ Tab 33

⁷⁶ Tab 6, Statement of Detective Senior Constable Hopkin

⁷⁷ Tab 6, Statement of Detective Senior Constable Hopkin [98]

different devices available to improve the safety of bushwalkers and National Park visitors. Emergency Position Indicating Radio Beacons (EPIRBs) are used by some bushwalkers, as are Personal Locator Beacons (PLBs).

94. PLBs are generally small devices, around the size of a mobile telephone designed specifically for bushwalkers and other outdoor adventurers. They cost between \$250-\$400 and are readily available. Once purchased they are registered with the Australian Maritime Safety Authority (AMSA). When activated the device can be detected by satellite technology. This can be of great assistance if a search and rescue operation is called for.⁷⁸ There is really no doubt their use has the capacity to save lives and to significantly reduce the time and subsequent cost of locating people who are lost or injured.
95. PLBs are available for hire at a nominal fee from the NPWS Snowy Region Visitors Centre⁷⁹. It is also clear that many experienced bushwalkers bring their own to the Park when commencing a trip⁸⁰ especially during winter or if they expect to be out overnight.
96. Given that Prabh was expected in Melbourne on 15 May 2013 to return the hire van, we can assume he expected a relatively short walk. Given that no trip intention form was lodged and nobody appears to have been informed exactly where he was going, it is however impossible to know with any certainty exactly how long he expected to be outside.
97. Matt McClelland an experienced bushwalker, author and founder of the popular Wildwalks website contacted the Inquest with concerns that the NPWS website had previously contained some significant inaccuracies which remained even after they were brought to the attention of the Service.⁸¹ Mr McClelland was an impressive witness who appeared knowledgeable and most anxious to assist improving the safety of Park users.

⁷⁸ Tab Statement of Sergeant Dallas Atkinson [9]

⁷⁹ Tab 110 Statement of Robert Gibbs [16]

⁸⁰ See for example the evidence at Inquest of Tom Batty 27/5/15

⁸¹ See Exhibit 5 and his evidence at Inquest 28/5/15

98. While we cannot now be precisely sure what information Prabh examined when planning his trip, it is likely he looked at the NPWS website.
99. One of the inaccuracies that Mr McClelland had previously identified was with the stated length of the Main Range Trail as stated on the NPWS website. The walk was apparently described as a 12.5 km walk, 4.5 hour walk when it is actually a 22 km, 8-9 hour walk. Unfortunately, despite Mr McClelland's numerous requests for the information to be changed, it was not corrected for some years.
100. The information has now been corrected. However, it is not at all clear whether it was wrong at the time Prabh may have viewed it. Mr McClelland told the Inquest that the NPWS sign at the entrance point to the walk was correct, but he was concerned that the website might encourage walkers to make inadequate preparations before arriving at the Park.
101. While it is now impossible to know if this mistake had any direct impact on Prabh's preparations, it is disappointing that the NPWS website has not been more responsive to corrections in the past.
102. Mr McClelland acknowledged that the NPWS website has numerous functions, however, he was of the view that it would be appropriate if more educational and walk preparation information was included given the NPWS's trusted position in the field. He also suggested that there could be better links to weather information.

What can we learn?

103. It appears that there was a good working relationship between NPWS and the NSW Police Force at the time of the search. Resources and expertise were well shared and communication was strong. The search was able to scale up quickly.
⁸²Neither NPWS nor the NSW Police gave evidence that they were hampered by a lack of resources once the search commenced.
104. If there are lessons to be learnt from Prabh's disappearance, it is likely they lie in prevention rather than anything which occurred during the duration of the search.

⁸² Robert Gibbs, evidence at Inquest 27/5/15 among others

105. In considering all the material, three issues emerged as areas where new measures could be considered to help prevent a future tragedy of this sort.

- Education

106. Many who walk in the Kosciuszko National Park are experienced bush walkers with ready access to information. However, many arrive at the Park with little or no experience of Alpine conditions. Robert Gibbs gave evidence that NPWS staff frequently see crowds of visitors setting off without adequate clothing or supplies of food and water.⁸³ Given the number of visitors to the Park, perhaps there needs to be some further resourcing of educational campaigns which would give those visiting the Snowy Mountain region of Australia relevant information about the necessary preparations to make and the conditions to expect.

107. The Inquest received information about the Think Before You Trek (TBYT) initiative⁸⁴ which was jointly launched by the NSW Police Force and the NSW National Parks and Wildlife Service. The main objective of the initiative is to promote awareness and safety for persons undertaking recreational activities in remote environments. Originally trialled in the Blue Mountains the TBYT initiative was expanded to the Snowy Mountains in 2013, with an Alpine themed backcountry poster being produced.⁸⁵

108. There is always room for the provision of more information for the general public, particularly in relation to making adequate preparations and discouraging people from bushwalking alone, especially without a PLB or other device.

- Trip Intention Systems

109. One of the biggest problems confronted by the search team was not knowing exactly when Prabh had left or where he was going. Prabh, like many walkers did not lodge a trip intention form with the NPWS. At present Park users may lodge a paper trip intention form. However, these forms are only consulted once a person is reported missing to Police or the NPWS.

⁸³ Robert Gibbs and evidence at Inquest 27/5/15

⁸⁴ Statement of Dallas Atkinson

⁸⁵ Robert Gibbs and evidence at Inquest 27/5/15

110. The inquest received information about the possibility of developing a web based trip intention system. This would allow each user to research the route they were planning to take and lodge details with a third party, who would immediately notify authorities if the walker was overdue.⁸⁶
111. Some devices available to walkers already incorporate this kind of technology.⁸⁷ A centralised system has also been developed in New Zealand by the AdventureSmart organization.⁸⁸ A web-based trip intention lodgement system would be a positive expansion of the current TBYT initiative. It could be advertised widely and has the capacity to help save lives.
- Personal Locator Beacons
112. There is little doubt that educating the public on the importance of PLBs also has the capacity to save lives. For this reason the Inquest considered the possibility of making the use of devices of this kind mandatory.
113. There are however considerable practical challenges in making such a recommendation in relation to the Kosciuszko National Park. The sheer number of tourists using the Park makes it impossible. Thousands of visitors walk on the Main Range Trail every year, entering and exiting the Park from a variety of points.⁸⁹ Some are experienced walkers with their own devices, some come for the shortest of walks and photographic opportunities. Staffing the hire/loan facility 24 hours a day would create an impossible demand on NPWS and the issues involved with policing a mandatory requirement such as this are also significant.
114. Having considered the views of local police and the NPWS, I am of the view it would be more effective to provide more education to the public about the use of PLBs and increase the numbers currently available for loan or hire from the NPWS in the Kosciuszko National Park, but to fall short of recommending any mandatory requirements.

⁸⁶ Statement of Robert Gibbs (2) [11]

⁸⁷ Evidence at Inquest of Tom Batty

⁸⁸ Statement of Robert Gibbs (2)[12]

⁸⁹ Statement of Robert Gibbs (2)[8]

Findings

115. On the balance of probabilities, I find that Prabhdeep Srawn is dead. He died on or in the days shortly after 14 May 2013 .
116. I am unable to determine the exact place of Prabhdeep's death, however it occurred in the area of Kosciuszko National Park.
117. The cause of death is remains unknown. However, on the balance it appears that Prabhdeep's death occurred by misadventure of some kind.

Recommendations

118. That the National Parks and Wildlife Service consider implementing better systems so that its website can be updated and corrected in a timely manner.
119. That the National Parks and Wildlife Service consider reviewing and expanding its educational material aimed at bushwalkers, both on its website and more broadly, especially in relation to the potential dangers found in the Australian Alpine conditions.
120. That the National Parks and Wildlife Service and NSW Police immediately investigate and consider implementing a web based trip intention lodgement system.
121. That the National Parks and Wildlife Service consider ways of expanding and publicising its PLB loan system in the Kosciuszko National Park.
122. Finally, I offer Prabhdeep's family my sincere and heartfelt condolences.

Harriet Grahame

Coroner

26 June 2015